

**UNITED STATES DISTRICT COURT
DISTRICT OF MASSACHUSETTS**

**344 PROVIDENCE ROAD REALTY,
TRUST, RICHARD J. WUNSCHEL
and NAUTILUS INSURANCE COMPANY,
Plaintiffs**

v.

**AMERICAN SAFETY RISK RETENTION
GROUP, INC. and ARCHITECTURAL
DELEADING, INC.,
Defendants**

CIVIL ACTION NO.: 04-40197-FDS

**INITIAL DISCLOSURE PURSUANT TO
F.R.C.P. 26**

The defendant hereby makes its initial disclosure in accordance with Rule 26(a) of the Federal Rules of Civil Procedure.

(A) Individuals with discoverable information:

- (1) Keeper of Records of American Safety Insurance Services, Inc., 1845 The Exchange, Atlanta, GA 30339.
- (2) Richard J. Wunschel, 30 Lackey Dam Road, East Douglas, MA 01516.
- (3) A representative of the Building Inspector of Northbridge, MA, 7 Main Street, Memorial Square, Whitinsville, MA 01588.
- (4) Rudolph Susienka, Building Inspector, Town of Northbridge, 7 Main Street, Memorial Square, Whitinsville, MA 01588.

(B) Documents that American Safety use to support its contentions:

American Safety Policy No. AFC99-349-004.

American Safety Policy of Insurance for Architectural Deleading, Inc.

Purported Indemnity Agreement between Richard J. Wunschel and Architectural Deleading, Inc.

Massachusetts Building Code.

Ordinances of Northbridge.

(C) Computation of damages:

\$300,000.00 based upon monies paid at the Ellis settlement.

(D) Insurance Agreement:

See B above.

All documents referred to in this disclosure have been attached to plaintiff's complaint.

Respectfully submitted,

CLARK, HUNT & EMBRY

/s/ Armando J. Acosta

William J. Hunt (BBO # 244720)
Armando J. Acosta (BBO #648242)
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Cambridge, MA 02142
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(617) 494-1920

Date: April 29, 2005

CERTIFICATE OF SERVICE

I hereby certify that on this 29th day of April, 2005, I caused copies of the foregoing document to be served on counsel to the parties to this action and on counsel or representatives of the movants for intervention by first class mail.

/s/ Armando J. Acosta

Armando J. Acosta